

COMMONWEALTH OF VIRGINIA STATE

CORPORATION COMMISSION AT

RICHMOND, JUNE 14, 2024

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APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUR-2024-00074

For approval and certification of electric transmission facilities:
Dooms–Harrisonburg 230 kV Lines #260
and #272 Rebuild Project

ORDER FOR NOTICE AND COMMENT

On April 30, 2024, Virginia Electric and Power Company ("Dominion" or "Company") filed with the State Corporation Commission ("Commission") an application ("Application") for approval and certification of electric transmission facilities in the Counties of Augusta and Rockingham, and the Town of Grottoes, Virginia. Dominion filed its Application pursuant to § 56-46.1 of the Code of Virginia ("Code") and the Utility Facilities Act, Code § 56-265.1 *et seq.*

Through its Application, the Company proposes to complete the following, which is collectively referred to as the "Rebuild Project":¹

- Rebuild, entirely within existing right-of-way or on Company-owned property, approximately 10.6 miles of the existing 230 kilovolt ("kV") Line #260 single-circuit weathering wooden H-frame structures with weathering steel H-frame structures; and
- Rebuild, entirely within existing right-of-way or on Company-owned property, approximately 11.5 miles of the existing 230 kV Line #272 single circuit COR-TEN^{®2} lattice towers with weathering steel monopole structures.³

¹ The Company states that it will also perform minor work associated with the Rebuild Project at the Grottoes, Harrisonburg, and Dooms Substations to support the new line ratings. The Company states that this work, while not included as part of the Rebuild Project, is discussed in Section II.C of the Appendix to the Application. Application at 2 n.3.

² Registered trademark of the United States Steel Corporation.

³ Application at 2.

Dominion states that it is proposing the Rebuild Project in order to maintain the structural integrity and reliability of its transmission systems in compliance with the Company's mandatory electric transmission planning criteria ("Planning Criteria") and consistent with sound engineering judgment.⁴ The Company states that the Rebuild Project will replace aging infrastructure that is approaching the end of its service life to comply with the Company's Planning Criteria, thereby enabling the Company to maintain the overall long-term reliability of its transmission system.⁵ Dominion states that the majority of Line #260 was constructed in 1970 using mostly wooden structures, which have been identified through field inspections to be showing significant deterioration.⁶ Dominion further states that that the majority of Line #272 was constructed in 1967 and consists of COR-TEN® X-Series lattice-type towers, which have been identified as showing inherent corrosion and continuous deterioration.⁷ The Company asserts that the proposed Rebuild Project will afford the best means of meeting the continuing need for reliable service while reasonably minimizing adverse impact on the scenic, environmental, and historic assets of the area.⁸

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ *Id.* at 4.

The Company states that the total length of existing right-of-way and Company-owned property to be used for the Rebuild Project is approximately 22.1 miles.⁹ The Company further states that no new permanent rights-of-way are necessary.¹⁰

The Company states that the desired in-service date for the Rebuild Project is December 31, 2027.¹¹ The Company further states that the estimated conceptual cost of the Rebuild Project (in 2023 dollars) is approximately \$57 million.¹²

As provided by Code § 62.1-44.15:21 D 2, the Commission and the State Water Control Board ("Board") consult on wetland impacts prior to the siting of electric utility facilities that require a certificate of public convenience and necessity. Acting on behalf of the Board, the Department of Environmental Quality ("DEQ") must prepare a Wetland Impacts Consultation on this Application, as required by the Code and Sections 2 and 3 of the Department of Environmental Quality - State Corporation Commission Memorandum of Agreement Regarding Consultation on Wetland Impacts (July 2003).¹³ The Staff of the Commission ("Staff") has

⁹ *Id.* at 3.

¹⁰ *Id.*

¹¹ *Id.* Dominion requests a final order by December 31, 2024. *Id.* The Company states that, should the Commission issue a final order by December 31, 2024, the Company estimates that construction should begin in October 2025 and be completed by December 2027. *Id.* Dominion notes that it is actively monitoring the regulatory changes and requirements associated with the Northern Long Eared Bat and how it could potentially impact construction timing associated with time of year restrictions. *Id.* at 4. The Company states that it is also monitoring potential regulatory changes associated with the potential up-listing of the Tricolored bat. *Id.*

¹² *Id.* Dominion states that the cost of the work associated with the Grottoes, Harrisonburg, and Dooms Substations is approximately \$5 million (2023 dollars). The Company states that it considers this work and the associated costs to be separate from the Rebuild Project. Appendix at ii n. 4.

¹³ *In re Receiving comments on a draft memorandum of agreement between the State Water Control Board and the State Corporation Commission*, Case No. PUE-2003-00114, 2003 S.C.C. Ann. Rept. 474, Order Distributing Memorandum of Agreement (July 30, 2003).

To promote administrative efficiency and timely service of filings upon participants, the Commission will, among other things, direct the electronic filing of testimony and pleadings unless they contain confidential information, and require electronic service on parties to this proceeding.

Accordingly, IT IS ORDERED THAT:

(1) This matter is docketed and assigned Case No. PUR-2024-00074.

(2) All pleadings, briefs, or other documents required to be served in this matter shall be submitted electronically to the extent authorized by Rule 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice and Procedure ("Rules of Practice").¹⁷ Confidential and Extraordinarily Sensitive Information shall not be submitted electronically and should comply with 5 VAC 5-20-170, *Confidential information*, of the Rules of Practice. Any person seeking to hand deliver and physically file or submit any pleading or other document shall contact the Clerk's Office Document Control Center at (804) 371-9838 to arrange the delivery.

(3) Pursuant to 5 VAC 5-20-140, *Filing and service*, of the Rules of Practice, the Commission directs that service on parties and Staff in this matter shall be accomplished by electronic means. Concerning Confidential or Extraordinarily Sensitive Information, all parties and Staff are instructed to work together to agree upon the manner in which documents containing such information shall be served upon one another, to the extent practicable, in an electronically protected manner, even if such information is unable to be filed in the Office of the Clerk, so that no party or Staff is impeded from preparing its case.

(4) As provided by § 12.1-31 of the Code and Rule 5 VAC 5-20-120, *Procedure before Hearing Examiners*, of the Rules of Practice, a Hearing Examiner is appointed to conduct all

¹⁷ 5 VAC 5-20-10 *et seq.*

further proceedings in this matter and to file a final report. A copy of each filing made with the Office of the Clerk in this matter shall also be sent electronically to the Office of the Hearing Examiners.¹⁸

(5) An electronic copy of the Company's Application may be obtained by submitting a written request to counsel for the Company: Andrew J. Flavin, Troutman Pepper Hamilton Sanders LLP, 1001 Haxall Point, 15th Floor, Richmond, Virginia 23219, or andy.flavin@troutman.com. Interested persons also may download unofficial copies from the Commission's website: scc.virginia.gov/pages/Case-Information.

(6) On or before July 23, 2024, the Company shall cause to be sent by first class mail a copy of the notice and sketch map prescribed in Ordering Paragraph (7) to all owners of property within the route of the proposed Rebuild Project, as of the date of this Order and as indicated on the map or sketch of the route filed with the Commission, which requirement shall be satisfied by mailing to such persons at such addresses as are indicated in the land books maintained by the commissioner of revenue, director of finance, treasurer, or other officer of the county or municipality designated as provided by Code § 58.1-3100 *et seq.*

(7) On or before July 23, 2024, the Company shall cause the following notice and the sketch map of the proposed route, as shown on page 273 ("Attachment V.A") of the Appendix to the Application, to be published as display advertising (not classified) on one (1) occasion in newspapers of general circulation in the Counties of Augusta and Rockingham, and the Town of Grottoes, Virginia:

¹⁸ Such electronic copies shall be sent to: OHEParalegals@scc.virginia.gov.

NOTICE TO THE PUBLIC OF AN APPLICATION BY
 VIRGINIA ELECTRIC AND POWER COMPANY
 FOR APPROVAL AND CERTIFICATION OF ELECTRIC
 TRANSMISSION FACILITIES:
 DOOMS–HARRISONBURG 230 KV LINES
 #260 AND #272 REBUILD PROJECT
CASE NO. PUR-2024-00074

On April 30, 2024, Virginia Electric and Power Company ("Dominion" or "Company") filed with the State Corporation Commission ("Commission") an application ("Application") for approval and certification of electric transmission facilities in the Counties of Augusta and Rockingham, and the Town of Grottoes, Virginia. Dominion filed its Application pursuant to § 56-46.1 of the Code of Virginia ("Code") and the Utility Facilities Act, Code § 56-265.1 *et seq.*

Through its Application, the Company proposes to complete the following, which is collectively referred to as the "Rebuild Project:"

- Rebuild, entirely within existing right-of-way or on Company-owned property, approximately 10.6 miles of the existing 230 kilovolt ("kV") Line #260 single-circuit weathering wooden H-frame structures with weathering steel H-frame structures; and
- Rebuild, entirely within existing right-of-way or on Company-owned property, approximately 11.5 miles of the existing 230 kV Line #272 single circuit COR-TEN® lattice towers with weathering steel monopole structures.

Dominion states that it is proposing the Rebuild Project in order to maintain the structural integrity and reliability of its transmission systems in compliance with the Company's mandatory electric transmission planning criteria ("Planning Criteria") and consistent with sound engineering judgment. The Company states that the Rebuild Project will replace aging infrastructure that is approaching the end of its service life to comply with the Company's Planning Criteria, thereby enabling the Company to maintain the overall long-term reliability of its transmission system. Dominion states that the majority of Line #260 was constructed in 1970 using mostly wooden structures, which have been identified through field inspections to be showing significant deterioration. Dominion further states that that the majority of Line #272 was constructed in 1967 and consists of

COR-TEN® X-Series lattice-type towers, which have been identified as showing inherent corrosion and continuous deterioration. The Company asserts that the proposed Rebuild Project will afford the best means of meeting the continuing need for reliable service while reasonably minimizing adverse impact on the scenic, environmental, and historic assets of the area.

The Company states that the total length of existing right-of-way and Company-owned property to be used for the Rebuild Project is approximately 22.1 miles. The Company further states that no new permanent rights-of-way are necessary.

The Company states that the desired in-service date for the Rebuild Project is December 31, 2027. The Company further states that the estimated conceptual cost of the Rebuild Project (in 2023 dollars) is approximately \$57 million.

Description of the Route

The proposed route for the Rebuild Project is located within an existing 22.1-mile right-of-way corridor currently occupied by existing 230 kV Lines #272 and #260. Line #272 originates at the Company's Dooms Substation in Augusta County and heads north for approximately 11.5 miles to the Company's Grottoes Substation in the Town of Grottoes. From there, Line #260 travels north for approximately 10.6 miles and terminates at the Company's Harrisonburg Substation in Rockingham County. The Rebuild Project does not cross any major roads, but does cross the North River in Rockingham County and the South River in Augusta County.

For the proposed Rebuild Project, the minimum structure height is approximately 37 feet, the maximum structure height is approximately 120 feet and the average structure height is approximately 84 feet, based on preliminary conceptual design, inclusive of a foundation reveal, and subject to change based on final engineering design.

All distances, heights, and directions are approximate. A sketch map of the proposal accompanies this notice. A more detailed map may be viewed on the Commission's website: scc.virginia.gov/pages/Transmission-Line-Projects. A more complete description of the proposed Rebuild Project may also be found in the Company's Application.

The Commission may consider a route not significantly different from the route described in this notice without additional notice to the public.

To promote administrative efficiency and timely service of filings upon participants, the Commission has directed the electronic filing of testimony and pleadings, unless they contain confidential information, and required electronic service on parties to this proceeding. In accordance therewith, all pleadings, briefs, or other documents required to be served in this matter shall be submitted electronically to the extent authorized by 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"). Confidential and Extraordinarily Sensitive Information shall not be submitted electronically and should comply with 5 VAC 5-20-170, *Confidential information*, of the Rules of Practice. Any person seeking to hand deliver and physically file or submit any pleading or other document shall contact the Clerk's Office Document Control Center at (804) 371-9838 to arrange the delivery.

Electronic copies of the Application and other supporting materials may be inspected at: <https://www.dominionenergy.com/doomsharrisonburg>. An electronic copy of the Company's Application also may be obtained by submitting a written request to counsel for the Company: Andrew J. Flavin, Esquire, Troutman Pepper Hamilton Sanders LLP, 1001 Haxall Point, 15th Floor, Richmond, Virginia 23219, or andy.flavin@troutman.com.

On or before September 24, 2024, any interested person may submit comments on the Application by following the instructions found on the Commission's website: scc.virginia.gov/casecomments/Submit-Public-Comments. Those unable, as a practical matter, to submit comments electronically may file such comments with the Clerk of the State Corporation Commission c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. All such comments shall refer to Case No. PUR-2024-00074.

On or before August 20, 2024, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation at scc.virginia.gov/clk/efiling. Those unable, as a practical matter, to file a notice of participation electronically may file such notice by U.S. mail to the Clerk of the Commission at the address listed above. Such notice of participation shall include the email addresses of such parties or

their counsel. The respondent simultaneously shall serve a copy of the notice of participation on counsel to the Company. Pursuant to 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice, any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation, or government body participating as a respondent must be represented by counsel as required by 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2024-00074.

On or before September 17, 2024, any interested person or entity may file with the Clerk of the Commission at: scc.virginia.gov/clk/efiling, a request that the Commission convene a hearing on the Company's Application. Those unable, as a practical matter, to file a request for hearing electronically may file such request for hearing by U.S. mail to the Clerk of the Commission at the address listed above. Such request for hearing shall include the email address of the filer or its counsel, if available. Requests for hearing must include: (i) a precise statement of the filing party's interest in the proceeding; (ii) a statement of the specific action sought to the extent then known; (iii) a statement of the legal basis for such action; and (iv) a precise statement why a hearing should be conducted in this matter. The interested person shall simultaneously serve a copy of the hearing request on counsel to the Company at the address set forth above. All requests for a hearing shall refer to Case No. PUR-2024-00074.

Any documents filed in paper form with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified by the Commission's Order for Notice and Comment, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

The Company's Application and other documents filed in this case, the Commission's Rules of Practice, and the Commission's Order for Notice and Comment may be viewed on the Commission's website at: scc.virginia.gov/pages/Case-Information.

VIRGINIA ELECTRIC AND POWER COMPANY

(8) On or before July 23, 2024, the Company shall serve a copy of this Order for Notice and Comment on the following local officials, to the extent the position exists, in each county, city, and town through which the Rebuild Project is proposed to be built: the chairman of the board of supervisors of each county; the mayor or manager (or equivalent official) of every city and town; and the county, city, or town attorney. Service shall be made electronically where possible; if electronic service is not possible, service shall be made by either personal delivery or first class mail to the customary place of business or residence of the person served.

(9) On or before August 13, 2024, the Company shall file proof of the notice and service required by Ordering Paragraphs (7) and (8), including the name, title, address, and electronic mail address (if applicable) of each official served, with the Clerk of the Commission, at scc.virginia.gov/clk/efiling/.

(10) On or before August 13, 2024, the Company shall file with the Clerk of the Commission a certificate of the mailing of notice to owners of property prescribed by Ordering Paragraph (6). The certificate shall not include the names and addresses of the owners of property served, but the Company shall maintain a record of such information.

(11) On or before September 24, 2024, any interested person may file comments on the Application by following the instructions found on the Commission's website: scc.virginia.gov/casecomments/Submit-Public-Comments. Those unable, as a practical matter, to file comments electronically may file such comments by U.S. mail to the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. All comments shall refer to Case No. PUR-2024-00074.

(12) On or before August 20, 2024, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation at

scc.virginia.gov/clk/efiling. Those unable, as a practical matter, to file a notice of participation electronically may file such notice by U.S. mail to the Clerk of the Commission at the address listed in Ordering Paragraph (11). Such notice of participation shall include the email addresses of such parties or their counsel. The respondent simultaneously shall serve a copy of the notice of participation on counsel to the Company. Pursuant to 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice, any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation, or government body participating as a respondent must be represented by counsel as required by 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2024-00074.

(13) Within five (5) business days of receipt of a notice of participation as a respondent, the Company shall serve a copy of the Application on the respondent, unless these materials already have been provided to the respondent.

(14) On or before September 17, 2024, any interested person or entity may file with the Clerk of the Commission at: scc.virginia.gov/clk/efiling, a request that the Commission convene a hearing on the Company's Application. Those unable, as a practical matter, to file a request for hearing electronically may file such request for hearing by U.S. mail to the Clerk of the Commission at the address in Ordering Paragraph (11). Such request for hearing shall include the email address of the filer or its counsel, if available. Requests for hearing must include: (i) a precise statement of the filing party's interest in the proceeding; (ii) a statement of the specific action sought to the extent then known; (iii) a statement of the legal basis for such action; and (iv) a precise statement why a hearing should be conducted in this matter. A copy of such

hearing request shall simultaneously be served on counsel to the Company at the address set forth in Ordering Paragraph (5). All requests for a hearing shall refer to Case No. PUR-2024-00074.

(15) On or before October 1, 2024, Dominion shall file with the Clerk of the Commission its response to any request for hearing filed in this matter. The Company shall serve a copy of such response on Staff, any respondents, and the interested person or entity requesting a hearing.

(16) On or before October 15, 2024, Staff shall investigate the Application and file with the Clerk of the Commission a Staff Report containing its findings and recommendations. A copy thereof shall be served on counsel to the Company and all respondents.

(17) On or before October 29, 2024, Dominion shall file with the Clerk of the Commission and serve on the Staff and any respondents any response in rebuttal to the Staff Report and any comments filed by interested persons or entities, including DEQ, in this proceeding. The Company shall serve a copy of its rebuttal testimony and exhibits on Staff and all respondents. Additionally, the Company shall serve a copy of its rebuttal testimony on DEQ by email to bettina.rayfield@deq.virginia.gov.

(18) Any documents filed in paper form with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified herein, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

(19) The Commission's Rule of Practice 5 VAC 5-20-260, *Interrogatories or requests for production of documents and things*, shall be modified for this proceeding as follows: responses and objections to written interrogatories and requests for production of documents

shall be served within seven (7) calendar days after receipt of the same. In addition to the service requirements of 5 VAC 5-20-260 of the Rules of Practice, on the day that copies are filed with the Clerk of the Commission, a copy of the interrogatory or request for production shall be served electronically on the party to whom the interrogatory or request for production is directed or the assigned Staff attorney, if the interrogatory or request for production is directed to Staff.¹⁹ Except as modified herein, discovery shall be in accordance with Part IV of the Commission's Rules of Practice, 5 VAC 5-20-240 *et seq.*

(20) This matter is continued.

A COPY hereof shall be sent electronically by the Clerk of the Commission to all persons on the official Service List in this matter. The Service List is available from the Clerk of the Commission.

¹⁹ The assigned Staff attorney is identified on the Commission's website, scc.virginia.gov/pages/Case-Information, by clicking "Docket Search," then clicking "Search by Case Information," and entering the case number, PUR-2024-00074 in the appropriate box.